

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

L&L WINE AND LIQUOR CORP.,

Plaintiff,

v.

Case No. 05-71487

ROBERT MONDAVI WINERY,
FRANCISCAN VINEYARDS, INC., and
CANADAIGUA WINE,

HONORABLE AVERN COHN

Defendants.

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ORDER DISMISSING CASE

This case raised the question of a supplier's right to terminate a distributor. Plaintiff's complaint alleged the following claims (1) that defendants violated several sections of the Wine Franchise Act, M.C.L. § 436.1305 (the Act) in seeking to terminate plaintiff, (2) that defendants breached the parties' contract by terminating plaintiff, (3) that defendant tortiously interfered with plaintiff's business relationships and expectations because other parties had learned of the termination, (4) a declaratory ruling as to the scope of plaintiff's territory. Plaintiff sought money damages and injunctive relief. The basic dispute centered around the scope of plaintiff's sales territory.

Plaintiff's claim for injunctive relief was tried to the Court. On August 25, 2005, the Court denied plaintiff's request for injunctive relief directed toward prohibiting

defendant from terminating the distributorship relationship between the parties due to plaintiff's breach. This determination included a finding that defendant had good cause to terminate plaintiff as a distributor. Plaintiff now argues it has a right to go to trial on its claim for damages. In light of the Court's determination in its August 25, 2005 decision, plaintiff has no claims for violation of the Act, for breach of contract, or for tortious interference. As fully detailed in defendants' papers, the August 25, 2005 decision necessarily and explicitly rejected all of plaintiff's claims. As such, this case is at an end and is DISMISSED.

SO ORDERED.

Dated: November 10, 2005
Detroit, Michigan

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE